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Attorneys for Plaintiff
SHELDON SCHWARTZ, Derivatively On Behalf of
Nominal Defendant NIMBLE STORAGE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE NIMBLE STORAGE, INC.
DERIVATIVE LITIGATION

Lead Case No: 5:16-CV-00892

This Document Relates To:

ALL ACTION.

**JOINT STIPULATION OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE**

1 Plaintiff Sheldon Schwartz ("Plaintiff") by and through his counsel of record, states as follows:

2 WHEREAS, on June 14, 2016, this Court consolidated two shareholder derivative actions that
3 were pending in this District: *Schwartz v. Vasudevan, et al.*, Case No. 5:16-cv-00892-YGR; and
4 *Goldstein v. Vasudevan, et al.*, Case No. 5:16-CV-02238-YGR (together, the "Consolidated Derivative
5 Action");

6 WHEREAS, on June 14, 2016, this Court stayed the Consolidated Action pending certain
7 events in the related Securities Class Action;

8 WHEREAS, under Fed. R. Civ. P. 23.1(c) and 41(a)(1), Plaintiff may voluntarily dismiss with
9 leave of Court the Consolidated Derivative Action as Defendants have not yet answered, moved, or
10 otherwise responded;

11 WHEREAS, neither Plaintiff nor Plaintiff's counsel has received any remuneration in
12 connection with the proposed dismissal of the Consolidated Derivative Action;

13 NOW, THEREFORE, pursuant to Fed. R. Civ. P. 23.1(c) and 41(a)(1), the parties to the
14 Consolidated Derivative Action, by and through their undersigned counsel, hereby stipulate and agree
15 as follows:

- 16 1. The Consolidated Derivative Action is voluntarily DISMISSED WITHOUT PREJUDICE.
17 2. The parties shall bear their own attorneys' fees and other expenses.

18
19 Dated: October 31, 2017

REICH RADCLIFFE & HOOVER LLP

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21 By: /s/ Adam T. Hoover
Adam T. Hoover

22 **FENWICK & WEST LLP**

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24 By: /s/ Felix S. Lee
25 Felix S. Lee